

Hearing Date: April 19, 2023
Objection Date: January 20, 2023
Reply Date: February 20, 2023

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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION CORPORATION, v. Plaintiff-Applicant, BERNARD L. MADOFF INVESTMENT SECURITIES LLC, Defendant.	Adv. Pro. No. 08-01789 (CGM) SIPA Liquidation (Substantively Consolidated)
In re: BERNARD L. MADOFF, Debtor. IRVING H. PICARD, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC, and Bernard L. Madoff, Plaintiff, v. MERRILL LYNCH BANK (SUISSE) SA, n/k/a BANK JULIUS BÄR & CO. AG a/k/a BANK JULIUS BAER & CO. LTD., Defendant.	Adv. Pro. No. 11-02910 (CGM)

NOTICE OF MOTION TO DISMISS

PLEASE TAKE NOTICE that Defendant Merrill Lynch Bank (Suisse) SA, by and through its undersigned counsel, submits its memorandum of law and accompanying declaration and exhibits in support of its motion to dismiss the amended complaint of Plaintiff Irving H. Picard, trustee for the liquidation of Bernard L. Madoff Investment Securities LLC and the substantially consolidated estate of Bernard L. Madoff under the Federal Rules of Civil Procedure.

Dated: November 21, 2022

Respectfully submitted,

New York, New York

O'MELVENY & MYERS LLP

By: /s/ Pamela A. Miller
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